

AMENDED IN ASSEMBLY APRIL 18, 2001

CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

ASSEMBLY BILL

No. 1336

Introduced by Assembly Member Koretz
(Coauthor: Senator O'Connell)

February 23, 2001

An act to add Section 122137 to the Health and Safety Code, relating to pet shops.

LEGISLATIVE COUNSEL'S DIGEST

AB 1336, as amended, Koretz. Pet shops.

Existing law prohibits any public animal control agency or shelter, society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group from selling or giving away to a new owner any dog or cat that has not been spayed or neutered.

This bill would ~~require pet shops to make arrangements to have a licensed veterinarian spay or neuter dogs or cats before they are sold or given away. This bill would also require the veterinarian who performs the operation to give the prospective owner written proof of spaying or neutering~~ prohibit pet stores from selling, adopting out, transferring, or giving away any dog or cat that has not been spayed or neutered. This bill would require pet shops to have the operation performed by a veterinarian, as specified, and to give the purchaser written proof of spaying or neutering. This bill would make any violation of those requirements subject to civil penalties.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 122137 is added to the Health and Safety Code, to read:

122137. (a) No pet ~~dealer~~ store shall sell, adopt out, transfer, or give away any dog or cat *of any age* that has not been spayed or neutered. The pet store shall ~~make appropriate arrangements to~~ have the operation performed by a ~~licensed~~ veterinarian *licensed in the state in which the surgery is performed.* ~~who~~ The pet store shall give the prospective owner or purchaser written proof of spaying or neutering.

(b) Any dog or cat that is ill and therefore unfit for spay or neuter surgery shall be held by the pet store and treated humanely, pursuant to this article, until a licensed veterinarian declares the dog or cat fit to undergo the surgery.

(c) The pet store shall not sell, adopt out, transfer, or give away a dog or cat for at least 24 hours following spay or neuter surgery or until a licensed veterinarian declares the dog or cat recovered from the surgery and fit to be sold, adopted, transferred, or given away. The pet store shall hold the animal under humane conditions, pursuant to this article, during that time period until the animal is sold, transferred, adopted, or given away.

(d) Any violation of this section shall be subject to civil penalties as set forth in Section 122205.